

E-Cling
10-27-05

BRUCE L. SIMON (#96241)
COTCHETT, PITRE, SIMON & McCARTHY
San Francisco Airport Office Center
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Tel: (650) 697-6000
Fax: (650) 692-3606

PATRICK McNICHOLAS (#125868)
McNICHOLAS & McNICHOLAS, LLP
10866 Wilshire Blvd., Suite 1400
Los Angeles, CA 90024
Tel: (310) 474-1582
Fax: (310) 475-7871

JONATHAN SHUB (#237708)
SHELLER, LUDWIG & BADEY
1528 Walnut Street, 3rd Floor
Philadelphia, PA 19102
Tel: (215) 790-7300
Fax: (215) 546-0942

Co-Lead Counsel

JUDGE'S COPY

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE DIVISION)**

In re: HP INKJET PRINTER LITIGATION) MASTER FILE NO. C053580 JF
_____) STIPULATION RE FILING OF
PLEADINGS; ~~PROPOSED~~ ORDER

This Document Relates To:

All Actions

1 WHEREAS, on or about October 19, 2005, the Honorable Jeremy Fogel entered Pre-Trial
2 Order No. 1 establishing October 24, 2005 as the date for plaintiffs to file a Consolidated and
3 Amended Complaint and established December 12, 2005 as the date for defendant to file a
4 Motion to Dismiss;

5 WHEREAS, the Court has set a hearing on defendant's Motion to Dismiss for January
6 27, 2006;

7 WHEREAS, the parties have agreed to a one week continuance of the filing of the
8 Consolidated and Amended Complaint and Motion to Dismiss;

9 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the
10 undersigned counsel that plaintiffs' deadline for filing a Consolidated and Amended Complaint
11 shall be extended to Monday, October 31, 2005. The deadline for defendant to file a Motion to
12 Dismiss shall be extended to Monday, December 19, 2005. Any opposition and reply to brief on
13 the Motion to Dismiss shall be filed and served pursuant to the Federal Rules of Civil Procedure.

14 IT IS SO STIPULATED.

15
16 **COTCHETT, PITRE, SIMON & McCARTHY**

17
18 Dated: October 24, 2005

19 By: 

BRUCE SIMON

Co-Lead Counsel for Plaintiffs and the Class

20
21 **GIBSON, DUNN & CRUTCHER, LLP**

22
23 Dated: October 25, 2005

24 By:  with approval from

SAMUEL LIVERSIDGE

Attorneys for Defendant

25
26 ///

ORDER

IT IS HEREBY ORDERED THAT the deadline for filing a Consolidated and Amended Complaint shall be extended to Monday, October 31, 2005. The deadline for defendant to file a Motion to Dismiss shall be extended to Monday, December 19, 2005. Any opposition and reply to brief on the Motion to Dismiss shall be filed and served pursuant to the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

DATED: 10.26.05


HON. JEREMY FOGEL
UNITED STATES DISTRICT COURT

1 ***HP Inkjet Litigation***
 2 ***Master File No. C053580 JF***

3 **PROOF OF SERVICE**

4 I am employed in the County of San Mateo, State of California. I am a citizen of the
 5 United States, over the age of 18 years and not a party to the within cause. My business address
 6 is the Law Offices of Cotchett, Pitre, Simon & McCarthy, San Francisco Airport Office Center,
 7 840 Malcolm Road, Suite 200, Burlingame, California, 94010.

8 On October 25, 2005, I served the following document(s) in the manner described below:

9 **STIPULATION RE FILING OF PLEADINGS; [PROPOSED] ORDER**

10 — **BY MAIL:** I am readily familiar with this firm's practice for collection and processing
 11 of correspondence for mailing. Following that practice, I placed a true copy of the
 12 aforementioned document(s) in a sealed envelope, addressed to each addressee,
 respectively, as specified below. The envelope was placed in the mail at my business
 address, with postage thereon fully prepaid, for deposit with the United States Postal
 Service on that same day in the ordinary course of business.

13 **X BY FACSIMILE:** I am readily familiar with this firm's practice for causing documents
 14 to be served by facsimile. Following that practice, I caused the aforementioned
 document(s) to be transmitted to the telephone number(s) of the addressee(s) specified
 below:

15 — **BY OVERNIGHT COURIER SERVICE:** I am readily familiar with this firm's
 16 practice for causing documents to be served by overnight courier. Following that
 17 practice, I caused the sealed envelope containing the aforementioned document(s) to be
 delivered via overnight courier service to the addressee(s) specified below

18 — **BY PERSONAL SERVICE:** I personally hand delivered a sealed envelope containing
 19 the aforementioned document(s) to be the addressee(s) specified below.

20 **SEE ATTACHED SERVICE LIST**

21 I declare under penalty of perjury, under the laws of the State of California, that the
 22 foregoing is true and correct. Executed at Burlingame, California, on October 25, 2005.

23 

24 JoAnne Lein

HP Inkjet Litigation
Civil Action No. C053580 JF

SERVICE LIST

Robert E. Cooper
Peter Sullivan
Samuel G. Liversidge
GIBSON DUNN & CRUTCHER
333 South Grand Avenue
Los Angeles, CA 90071-3197
Tel: (213) 229-7000
Fax: (213) 229-7520
psullivan@gibsondunn.com

Counsel for Defendant

Michael J. Holston
John F. Schultz
Robert A. Particelli
MORGAN LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Tel: (215) 963-5000
Fax: (215) 963-5001
mholston@morganlewis.com

Counsel for Defendant

Stephen M. Garcia
THE GARCIA LAW FIRM
One World Trade Center, Suite 1950
Long Beach, California 90831
Tel: (562) 216-5270
Fax: (562) 216-5271
sgarcia@lawgarcia.com

Counsel for Plaintiffs and the Class

Patrick McNicholas
MCNICHOLAS & MCNICHOLAS LLP
10866 Wilshire Boulevard, Suite 1400
Los Angeles, California 90024- 4338
Tel: (310) 474-1582
Fax: (310) 475-7871
pmc@mcnicholaslaw.com

Counsel for Plaintiffs and the Class

Scott E. Shapiro
Hubert Yun
LAW OFFICES OF SCOTT E. SHAPIRO, P.C.
17337 Ventura Boulevard, Suite 200
Encino, CA 91316
Tel: (818) 990-0706
Fax: (818) 990-0276
shapiro@ses-law.com

Counsel for Plaintiffs and the Class

1 Michael D. Liberty
2 **LAW OFFICES OF MICHAEL D. LIBERTY**
3 1290 Howard Avenue, Suite 333
4 Burlingame, CA 94010
5 Tel: (650) 685-8085
6 Fax: (650) 685-8086
7 mdlaw@pacbell.net

Counsel for Plaintiffs and the Class

8 Jonathan Shub
9 **SHELLER LUDWIG & BADEY**
10 1528 Walnut Street, Third Floor
11 Philadelphia, PA 19102
12 Tel: (215) 790-7300
13 Fax: (215) 546-0942
14 jshub@sheller.com

Counsel for Plaintiffs and the Class

15 Mark Chavez
16 **CHAVEZ & GERTLER**
17 42 Miller Ave.
18 Mill Valley, CA 94941
19 Tel: (415) 381-5599
20 Fax: (415) 381-5572
21 mark@chavezgertler.com

Counsel for Plaintiffs and the Class

22 Steven Berk
23 **CUNEO, WALDMAN & GILBERT, LLC**
24 317 Massachusetts Avenue, Suite 300
25 Washington, DC 20002
26 Tel: (202) 789-3960
27 Fax: (202) 789-1813
28 StevenB@cuneolaw.com

Counsel for Plaintiffs and the Class

Mark Edelson
EDELSON & ASSOCIATES, LLC
45 West Court Street
Doylestown, PA 18901
Tel: (215) 230-8043
Fax: (215) 230-8735
medelson@hofedlaw.com

Counsel for Plaintiffs and the Class

David Buchanan
SEEGER WEISS LLP
One William Street
New York, New York 10004
Tel: (212) 584-0700
Fax: (212) 584-0799
dbuchanan@seegerweiss.com

Counsel for Plaintiffs and the Class